IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

WRIT PETITION NO.6 OF 2005

Lingappa Patel & Ors. ...Petitioners.

Vs.

M/s.Borosil Glass Works Ltd.& Ors....Respondents.

.....

Mr.Arshan Shaikh with Mr.V. M.Parkar for the Petitioners.

Mr.C.U.Singh with Mr.R.N.Shah i/b. Sanjay Udeshi for Respondent No.1.

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CORAM : DR.D.Y.CHANDRACHUD, J.

February 28, 2005.

P.C. :

At the hearing of this petition, Learned Counsel appearing on behalf of the Respondents has fairly accepted the suggestion of the Court that it would be in the interests of justice if the impugned order of the Labour Court dated 31st August 2002 is quashed and set aside and the Labour Court is directed to reconsider Application (IDA)

Nos.135 to 138 and 143 of 2002 afresh. Accordingly, the following order is passed by consent:

(1) The impugned order dated 31st August 2002 of the Labour Court in Application (IDA) Nos.135 to 138 and 143 of 2002 is quashed and set aside;

(2) The Labour Court is directed to reconsider the applications and to pass fresh order preferably within a period of three months from today;

(3) Parties shall appear before the Labour Court on 14th March 2005 for receiving directions;

(4) In view of the decision of the Supreme Court in **Janki Vashdeo Bhojwani vs. Indusind Bank Ltd.**, VII (2004) SLT 441, the individual applicants would be at liberty if they so desire to adduce additional evidence in support of their case. The applicants will be at liberty to adduce any other evidence that is permissible in accordance with law, save and except the evidence of the Power of Attorney holder.

(5) The Petition is accordingly disposed of.

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